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2012-150-C

**BEFORE
THE PUBLIC SERVICE COMMISSION
OF SOUTH CAROLINA**

Application of:)
)
Unity III Telecom, LLC)
For a Certificate of Public Convenience and Necessity)
To Provide Facilities-based Local Exchange and)
Resold Long Distance Telecommunications Services and)
For Flexible Regulation of its Local Exchange Services)
And Alternative Regulation)

**MOTION FOR PROTECTIVE TREATMENT AND
BASIS FOR FILING EXHIBIT AS TRADE SECRET**

Introduction

Unity III Telecom, LLC (“Unity” or “Applicant”), by its attorneys and pursuant to S.C. Code Ann. § 39-8-10, *et seq.*, Commission Order No. 2005-226, and all other applicable rules, statutes and regulations, hereby files this Motion for Protective Treatment (“Motion”) in the above-captioned proceeding. By this Motion, the Applicant seeks protective treatment by the Public Service Commission of South Carolina (“Commission”), of certain commercially-sensitive financial statements attached as ***Exhibit C***, filed as Trade Secret to the Application for Authority for Unity to Provide Local Exchange and Interexchange Telecommunications Services throughout the State of South Carolina (“Application”). Because this Motion is an inseparable part of the Application, it is being filed concurrently therewith.

In support of this Motion, the Applicant provides the following:

1. The exact legal name, address and telephone number of the Applicant is:

Unity III Telecom, LLC
1330 Capital Parkway
Carrollton, TX 75006
Telephone: (972) 488-5500
Facsimile: (469) 574-7931
Toll Free: (855) 864-8999
Website: www.unitytelecom.com

2. Correspondence or communications regarding this Motion should be addressed to:

Bonnie D. Shealy
1901 Main Street, Suite 1200
Post Office Box 944
Columbia, South Carolina 29202
Telephone: 803.227.1102
Facsimile: 803.252-0724
Email: bshealy@robinsonlaw.com

with a copy to:

Thomas M. Forte
Consultant
Technologies Management, Inc.
2600 Maitland Center Parkway, Suite 300
Maitland, Florida 32751
Telephone: 407-740-3001
Facsimile: 407-740-0613

I. Description of Confidential Information.

3. The Application requires Unity to disclose evidence of financial fitness through the submission of documentation of its financial resources and ability to provide the requested service. Since Unity is a start-up Company and a wholly-owned subsidiary of AmVensys Capital Group, LLC ("AmVensys"), the Applicant submits copies of AmVensys' financial statements to conform to this requirement. These documents contain highly confidential and strictly proprietary information, the public disclosure of which may result in

direct, immediate and substantial harm to the competitive position of AmVensys and the Applicant in South Carolina and elsewhere.

II. Grounds for Claim of Confidentiality.

4. Unity and AmVensys are presently immune from a legal obligation to prepare or submit projected financial statements, or any other financial information, to any public entity. As such, statements attached as ***Exhibit C*** to the Application are not readily available to persons external to Unity and AmVensys.

5. Because the projected financial statements submitted by Unity in support of the Application contain confidential and commercially-sensitive information from which its competitors may derive economic value, Unity seeks to protect such material from public disclosure. Unity and AmVensys derive independent economic value from the fact that significant, detailed and proprietary information regarding their financial structure and current financing activities is unknown to its competitors. As such, the financial statements are a “trade secret” as that term is used in South Carolina Trade Secrets Act. S.C. Code Section 39-8-20(5). Given this fact, the disclosure of this information could provide existing and potential competitors, including local exchange and interexchange carriers in South Carolina, as well as in other states in which Unity provides or intends to provide telecommunications service, with an unfair and undeserved competitive advantage.

6. Unity clarifies herein that its request for protection applies only to the documents attached as ***Exhibit C*** to the Application. Unity is not seeking protection of any type for those reports Unity is required to file with the Office of Regulatory Staff (“ORS”) should the relief sought in the Application be granted: the Annual Report Form, Gross Receipts Report, and Universal Service Fund Worksheet.

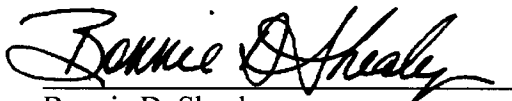
CONCLUSION

7. The financial information included in support of Unity's Application, for which Confidential Treatment is sought, is both proprietary and competitively sensitive. The substantial and direct harm that could be caused to Unity and AmVensys as a result of any disclosure is real and not speculative. Moreover, to date, no other jurisdiction or governmental agency has required Unity or AmVensys to make this information available to the public. For all these reasons, the projected financial statements attached as *Exhibit C* to the Application should be protected from public disclosure by the Commission.

WHEREFORE, Unity III Telecom, LLC respectfully request that the South Carolina Public Service Commission grant this Motion for Protective Treatment with respect to the financial statements attached as *Exhibit C* to the Application of Unity III Telecom, LLC to Provide Local Exchange and Interexchange Telecommunications Services throughout the State of South Carolina and filed *under seal* as Confidential in this proceeding.

Dated this 4th day of April, 2012

Robinson, McFadden & Moore, P.C.



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